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ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**DECLARATION OF RUCHIKA
AGRAWAL IN SUPPORT OF ORACLE
AMERICA, INC.'S OPPOSITIONS TO
GOOGLE'S MOTIONS *IN LIMINE*
NOS. 1 THROUGH 5**

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 I, Ruchika Agrawal, declare as follows:

2 I am an attorney at Morrison & Foerster LLP and am counsel of record to Plaintiff Oracle
3 America, Inc. ("Oracle"). I have personal knowledge of the matters set forth herein and, if called
4 to testify, could and would testify competently to the following.

5 1. Attached hereto as **Exhibit 1-1** are true and correct copies of excerpts of the
6 transcript of the deposition of Tim Lindholm taken on September 7, 2011.

7 2. Attached hereto as **Exhibit 1-2** is a true and correct copy of a document produced
8 by Google in this case bearing production number GOOGLE-12-00000115.

9 3. Attached hereto as **Exhibit 1-3** is a true and correct copy of a document produced
10 by Google in this case bearing production number GOOGLE-14-00001233.

11 4. Attached hereto as **Exhibit 1-4** is a true and correct copy of a document produced
12 by Google in this case bearing bates number GOOGLE-00001772 through Google-00-00001781.

13 5. Attached hereto as **Exhibit 1-5** is a true and correct copy of a document produced
14 by Google in this case bearing production number GOOGLE-12-00000472 through GOOGLE-
15 12-00000476.

16 6. Attached hereto as **Exhibit 1-6** is a true and correct copy of a document produced
17 by Google in this case bearing production number GOOGLE-12-00000656.

18 7. Attached hereto as **Exhibit 1-7** is a true and correct copy of a document produced
19 by Google in this case bearing production number GOOGLE-12-00018231.

20 8. Attached hereto as **Exhibit 1-8** is a true and correct copy of a document produced
21 by Google in this case bearing production number GOOGLE 01-00018836.

22 9. Attached hereto as **Exhibit 1-9** is a true and correct copy of a document produced
23 by Google in this case bearing production number GOOGLE-12-00078864 through GOOGLE-
24 12-00078865.

25 10. Attached hereto as **Exhibit 1-10** is a true and correct copy of a document produced
26 by Google in this case bearing production number GOOGLE-12-10000011.

27 11. Attached hereto as **Exhibit 1-11** are true and correct copies of excerpts of the
28 transcript of the deposition of Jeef Kaul taken on August 5, 2011.

12. Attached hereto as **Exhibit 1-12** are true and correct copies of excerpts of the transcript of the deposition of Hasan Rizvi taken on July 28, 2011.

13. Attached hereto as **Exhibit 2-1** is a true and correct copy of an excerpt of Android Designing for Performance available at <http://developer.android.com/guide/practices/design/performance.html>.

14. Attached hereto as **Exhibit 2-2** is a true and correct of copy of an excerpt of Android 2.2 Platform Highlights available at <http://developer.android.com/sdk/android-2-2-highlights.html>.

15. Attached hereto as **Exhibit 2-3** is a true and correct copy of a document produced by Google in this case bearing production number GOOGLE-04-00055098 through GOOGLE-04-00055099.

16. Attached hereto as **Exhibit 2-4** are true and correct copies of excerpts of the transcript of the deposition of Daniel Morrill taken on July 12, 2011.

17. Attached hereto as **Exhibit 2-5** are true and correct copies of excerpts from the Opening Expert Report of John C. Mitchell Regarding Patent Infringement, dated August 8, 2011.

18. Attached hereto as **Exhibit 2-6** are true and correct copies of excerpts of the transcript of the deposition of John C. Mitchell taken on September 6, 2011.

19. Attached hereto as **Exhibit 2-7** are true and correct copies of excerpts of the Summary and Report of Robert ("Bob") G. Vandette, dated August 8, 2011.

20. Attached hereto as **Exhibit 2-8** are true and correct copies of excerpts of the Summary and Report of Noel Poore, dated August 8, 2011.

21. Attached hereto as **Exhibit 2-9** are true and correct copies of excerpts of the Summary and Report of Erez Landau, dated August 8, 2011.

22. Attached hereto as **Exhibit 2-10** are true and correct copies of excerpts of the transcript of the deposition of Erez Landau taken on September 14, 2011.

23. Attached hereto as **Exhibit 2-11** are true and correct copies of excerpts of the transcript of the deposition of Robert G. Vandette taken on September 7, 2011.

1 24. Attached hereto as **Exhibit 2-12** are true and correct copies of excerpts of the
2 transcript of the deposition of Noel Poore taken on September 7, 2011.

3 25. Attached hereto as **Exhibit 2-13** is a true and correct copy of an excerpt of
4 Android Developers Blog: Dalvik JIT available at [http://android-](http://android-developers.blogspot.com/2010/05/dalvik-jit.html)
5 [developers.blogspot.com/2010/05/dalvik-jit.html](http://android-developers.blogspot.com/2010/05/dalvik-jit.html).

6 26. Attached hereto as **Exhibit 2-14** s a true and correct copy of a document produced
7 by Google in this case bearing production number GOOGLE-02-00465974 through GOOGLE-
8 02-00465975.

9 27. Attached hereto as **Exhibit 2-15** is a true and correct copy of a document produced
10 by Google in this case bearing production number GOOGLE-06-00238120 through GOOGLE-
11 06-00238121.

12 28. Attached hereto as **Exhibit 2-16** is a true and correct copy of a document produced
13 by Google in this case bearing production number GOOGLE-04-00083077.

14 29. Attached as **Exhibit 2-17** is a true and correct copy of an excerpt of Android
15 Developers Blog: Nexus One Developer Phone available at [http://android-](http://android-developers.blogspot.com/2010/08/nexus-one-developer-phone.html)
16 [developers.blogspot.com/2010/08/nexus-one-developer-phone.html](http://android-developers.blogspot.com/2010/08/nexus-one-developer-phone.html).

17 30. Attached hereto as **Exhibit 3-1** is a true and correct copy of a letter I received via
18 e-mail from Christa Anderson of Keker & Van Nest LLP on September 26, 2011, purporting to
19 submit the Expert Report of Iain M. Cockburn to the Court *in camera*.

20 31. Attached hereto as **Exhibit 3-2** is a true and correct copy of excerpts from the
21 transcript of the hearing on Google's *Daubert* motion, held in open court on July 21, 2011.

22 32. Attached hereto as **Exhibit 3-3** is a true and correct copy of a document produced
23 by Oracle in this case bearing production number OAGOOGL0000357494.

24 33. Attached hereto as **Exhibit 3-4** is a true and correct copy of a document produced
25 by Google in this case bearing production number GOOGLE-01-00065669.

26 34. **Exhibit 3-5** was not used.
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1 35. Attached hereto as **Exhibit 3-6** is a true and correct copy of excerpts from a
2 document produced by Google in this case bearing production number GOOGLE-26-00031474–
3 497.

4 36. Attached hereto as **Exhibit 3-7** is a true and correct copy of a document produced
5 by Google in this case bearing production number GOOGLE-01-00017222–227.

6 37. Attached hereto as **Exhibit 3-8** is a true and correct copy of a document produced
7 by Google in this case bearing production number GOOGLE-58-00029945.

8 38. Attached hereto as **Exhibit 3-9** is a true and correct copy of a document produced
9 by Oracle in this case bearing production number OAGOOGL0002518850–855.

10 39. Attached hereto as **Exhibit 3-10** is a true and correct copy of a document produced
11 by Oracle in this case bearing production number OAGOOGL0000489235–237.

12 40. Attached hereto as **Exhibit 3-11** is a true and correct copy of excerpts from
13 transcript of the deposition of Edward Screven taken on July 29, 2011.

14 41. Attached hereto as **Exhibit 4-1** are true and correct copies of excerpts of the
15 transcript of the deposition of Peter Kessler taken on August 4, 2011.

16 42. Attached hereto as **Exhibit 4-2** are true and correct copies of excerpts of the
17 transcript of the deposition of John Pampuch taken on July 29, 2011.

18 43. Attached hereto as **Exhibit 4-3** are true and correct copies of excerpts of the
19 Expert Report of Dr. Benjamin F. Goldberg Regarding Validity of Patents-In-Suit, submitted to
20 Google on August 25, 2011.

21 44. Attached hereto as **Exhibit 5-1** is a true and correct copy of Oracle's Second
22 Supplemental Patent Local Rule 3-1 Disclosure of Asserted Claims and Infringement
23 Contentions, dated April 1, 2011.

24 45. **Exhibit 5-2** was not used.

25 46. Attached hereto as **Exhibit 5-3** is a true and correct copy of a Subpoena to Testify
26 at a Deposition in a Civil Action dated July 13, 2011.

27 47. Attached hereto as **Exhibit 5-4** are true and correct copies of excerpts of the
28 transcript of the deposition of Rafael Camargo, taken September 8, 2011.

1 I declare under penalty of perjury under the laws of the United States that to the best of
2 my knowledge the foregoing is true and correct. Executed on October 4, 2011, in Palo Alto,
3 California.

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5 /s/ Ruchika Agrawal
Ruchika Agrawal
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